

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	23	\$	OTHER	NUMBER	DEM.	YR.	NUMBER
1085/4	75	0421	09	12	75	02	440	01				Accounting Injunction & Decl. Jdgmt	8510 8509		75	0421- B

PLAINTIFFS

DEFENDANTS

BARBARA JOHNSON,
LINDA WALKER,
BILLIE BUCKLEY,
BETTY BRAND, 7-6-79
each on behalf of themselves
and on behalf of all other
persons similarly situated

HOUSING AUTHORITY OF THE CITY
OF TULSA, TOM HARES, individually
and in his capacity as Director
of the Housing Authority of the
City of Tulsa,
FLOYD JOHNSON, individually and in
his capacity as manager of the
Comanche Park Housing Project,
DON BROOKS, individually and in his
capacity as manager of the River-
view Housing Project, ~~CARLA HILL~~,
~~Secretary of the United States~~
~~Department of Housing & Urban~~
~~Development~~ 7-24-76

CAUSE

Class action to redress violation of Fifth and Fourteenth Admendment to U.S.
Constitution and Civil Rights Act of 1871, and 42 USC Sec. 1402 (1)

28 USC Sec. 1343 (3) 28 USC Sec. 2201

28 USC Sec. 1343 (4) 28 USC Sec. 2202

42 USC Sec. 1983 Fifth Admendment

28 USC Sec. 1361

Fourteenth Admendment

~~Byron S. Matthews'~~
Charles R. Hogshead
630-West-7th
Suite-515
Tulsa, Oklahoma 74127 74103
584-3338- 584-3211

Legal Services of Eastern Okla., Inc.
Franklin Building, Suite 200

23 W. 4th St.

ATTORNEYS

Timothy J. Sullivan & Steven A. Schuller
Joel Wohlgemuth (Housing Authority,
~~Robt. Rizley~~ Hares, Johnson &
Philtower Bldg. Brooks)
Tulsa, Ok. 74103
583-7571

~~Robert P. Santee, (Carla Hill)~~
~~Asst. U. S. Attorney~~

Jerry Reed & (Housing Author., Hares,
Joseph R. Farris (Johnson & Brooks)
Feldman, Hall, Franden, Reed
& Woodard
816 Enterprise Bldg.
Tulsa, OK 74103
918/583-7129



CHECK
HERE
IF CASE WAS
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FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED

JS-5 10-1-75

JS-6 7-1-80

B

PROCEEDINGS

DATE	NR.	
9-12-75	1.	Application to Proceed without Prepayment of Costs, Affidavit in Support Thereof, and Order/of <u>Linda Walker</u> W/Affidavit of Financial Status, filed. (AEB-J)mm ^{granting}
9-12-75	2.	Application to Proceed without Prepayment of Costs, Affidavit in Support Thereof, and Order/of <u>Billie Buckley</u> W/Affidavit of Financial Status, filed. (AEB-J)mm
9-12-75	3.	Application to Proceed without Prepayment of Costs, Affidavit in Support Thereof, and Order/of <u>Betty Brand</u> W/Affidavit of Financial Status, filed. (AEB-J)mm
9-12-75	4.	Application to Proceed without Prepayment of Costs, Affidavit in Support Thereof, and Order/of <u>Barbara Johnson</u> W/Affidavit of Financial Status, filed. (AEB-J)mm
9-12-75	5.	Complaint filed, Summons issued.mm
9-15-75	6.	Motion for TRO and Preliminary Injunction, filed. 1m
9-15-75	7.	Brief in Support of Pltf's Motion for TRO and Preliminary Injunction, filed. 1m
9-15-75	8.	Affidavit of Barbara Johnson in Support of Pltf's Motion for TRO, filed. 1m
9-15-75	9.	Affidavit of Betty Brand in Support of Pltf's Motion for TRO, filed. 1m
9-15-75	10.	Affidavit of Linda Walker in Support of Pltf's Motion for TRO, filed. 1m
9-15-75	11.	Affidavit of Billie Buckley in Support of Pltf's Motion for TRO, filed. 1m
9-18-75	MO:	It is ordered by agreement of parties that the temporary restraining order should issue and the matter be accelerated to a hearing on the preliminary injunction and the merits, pursuant to Federal Rule of Civil Procedure 65(a)(2), on October 15, 1975, at 10:00 A.M. Moreover parties are granted until Oct. 2, 1975 to file simultaneous briefs limited solely to the issue of jurisdiction. (AEB-J)b ltrs mld.
9-18-75		US Marshals Service ret. & filed on: <u>Carla Hill</u> , by serving Complaint & Summons on 9-15-75 Certified Mail, Washington, D. C. W/fees of \$3.00.mm <u>Carla Hill</u> , Secretary of the US Dept. of Housing & Urban Development by serving Complaint & Summons on 9-15-75 Certified Mail, Washington D. C. W/fees of \$3.00.mm <u>Housing Authority of the City of Tulsa, Tom Hares, Director</u> by serving Complaint & Summons on 9-12-75 to Joel Wohlgemuth, Tulsa W/fees of \$3.00.mm <u>Mr. Tom Hares</u> , Executive Director of the Housing Authority of the City of Tulsa by serving Complaint & Summons on 9-12-75 to Joel Wohlgemuth, Tulsa W/fees of \$3.00.mm <u>Mr. Floyd Johnson</u> , Manager of Comanche Park Housing Project, by serving Complaint & Summons on 9-17-75 to Joel Wohlgemuth, Tulsa, W/fees of \$3.00.mm <u>Mr. Don Brooks</u> , Manager of Riverview Housing Project by serving Complaint & Summons on 9-17-75 to Joel Wohlgemuth, Tulsa W/fees of \$3.00.mm
10-2-75	12.	Answer, filed by defts. Housing Auth., Hares, Johnson, & Brooks. 1m
10-2-75	13.	Pltfs' Brief in Support of Jurisdiction, filed. 1m
10-2-75	14.	Defts' memorandum brief in opposition to the exercise of subject matter jurisdiction, filed by defts. Housing Auth., Hares, Johnson & Brooks. 1m

(continued)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
BARBARA JOHNSON, et al		HOUSING AUTHORITY OF TULSA	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
10-7-75	15.	Brief of deft. Carla Hill in opposition to jurisdiction, filed. lm	
10-9-75	16.	Plaintiff's First Interrogatories to Defendants Housing Authority of the City of Tulsa & Tom Hares, filed.mm	
10-9-75	17.	Motion to Shorten the Time within which to Answer Plaintiff's Interrogatories, filed. mm	
10-9-75	18.	Plaintiff's Brief in Support of Motion to Shorten the Time within which to Answer Plaintiffs' Interrogatories, filed.mm	
10-9-75	MO:	Ordered by the Ct. that the defendant file a responsive brief by Tuesday, October 14, 1975 to the plaintiff's Motion to Shorten the Time within which to Answer plaintiff's Interrogatories. (AEB-J)cps mld mm	
10-10-75	19.	Plaintiff's Application for CONTINUANCE, filed. mm	
10-10-75	20.	Plaintiff's Motion for Leave to withdraw previous Motion for Preliminary Injunction, filed. mm	
10-10-75	21.	Plaintiff's Brief in Support of Motion for Leave to Withdraw Previous Motion for Preliminary Injunction, filed. mm	
10-10-75	MO:	Ordered by the Ct. that the Deft. file a responsive brief within 10 days to the Motion for Leave to Withdraw Previous Motion for Preliminary Injunction of the Plaintiff. (AEB-J) cps mld mm	
10-14-75	MO:	The Court has for consideration the Pltfs' application for continuance and having been orally advised by Mr. Wohlgemuth that he has no objection, IT IS ORDERED that the hearing set for 10-15-75, be and the same is hereby stricken & Pltfs' applic. for continuance is hereby granted. The Court also has for consideration Pltfs' motion for leave to withdraw previous motion for preliminary injunction, IT IS ORDERED that said motion is granted & sustained. The Court further has for consideration Pltfs' motion to shorten time within which to answer pltfs' Interrogatories, and finds that said motion should be overruled as being moot in view of the previous orders of this Court granting the Continuance and allowing withdrawal of motion for preliminary injunction.(AEB-J)b ltrs mld	
11-4	22	Motion of Pltfs. for class action determination, filed. g	
11-4	23	Brief in support of pltfs' mot. for class action determination, filed. g	
11-7	24.	Motion of deft. Carla Hill, Secy. of HUD, for enlargement of time within which to ans. or otherwise plead, filed. hm 069	
11-10	MO	It is ordered by the Court that the Defts. are granted 10 days to respond to pltfs' Motion for Determination of Class action filed 11-4-75. (AEB-J)k cps mld	
11-10	25	Order, filed, that time for filing responses to pltfs' interrogs. and motion for class action determination be stayed pending the Court's determination of the issue of whether subject matter jurisdiction exists. (AEB-J)g cpies mailed.	
11-10	26	Defts' Mtn. for Protective Order w/ Memo Brief in Support of Mtn. for Protective Order, filed.jj 10 day. to be determined by the court on jurisdiction	
11-12	27.	Order, filed, granting deft. until 12-10-75 to ans. or plead. (AEB-J)hm (copies mailed)	

CIVIL DOCKET CONTINUATION SHEET

Judge Barrow

PLAINTIFF		DEFENDANT	DOCKET NO. _____
		B	PAGE 4 OF _____ PAGES
DATE	NR.	PROCEEDINGS	
12-11 1976	28	Deft. Carla Hill, answer, filed.tc	
1-12	MO	Case referred to Mag. Bradford re pending motions for F&R. (AEB-J)k	
2-25	MO	Case set for hrg. on pending mots. before Mag. on 3-17-76 at 1:30 pm. (MLB-Mag)k ntc by KT	
3-8	MO	Case stricken from hrg. before Mag. Bradford on pending mots. on 3-17-76 at 1:30 p.m. To be reset after resolution of jurisdictional issue. (MLB-Mag)k cps mld	
9-24	29.	Order, filed & entered, that cause of action & compl. are dismissed against deft. Carla Hill. Further that at the present time it appears that the Court has jurisdiction as to the remaining defts. It is further ordered that said defts. file a brief as to question of propriety of class action w/in 45 days of this date. (AEB-J)k cps mld	
11-8	30.	Defts' appl. for 21 days to file brief on question of propriety of class action, filed.k 0 to J	
11-10	31.	Order, filed, granting defts. til 11-29-76 to file brief on question of propriety of class action. (AEB-J)k cps mld	
12-1	32.	Deft's brief in opposition to the motion for class action determination, filed.s	
<u>1977</u>			
3-29	MO	IT IS ORDERED that pltfs. file a reply brief to defts' brief in opposition to the mot. for class action determination within 20 days from this date. (AEB-J)k cps mld	
4-8	33	Pltfs' appl. for ext. of time until 5-8-77 to file a reply brief to the Defts' brief in opposition to the mot. for class action determination. fld. 0 to J. ho	
4-12	34.	Order, filed, granting pltfs. til 5-8-77 to reply to defts' brief in opposition to mot. for class action determination. (AEB-J)k cps mld	
5-9	35.	Pltfs' mot. to compel answers to interrogatories, filed.k	
5-9	36.	Pltfs' appl. to reply to defts' brief in opposition to mot. for class action determination after defts. respond to pltfs' first interros. filed.k	
5-9	MO	It is ordered by the Court that the defts. respond to pltfs' mot. to compel answers to interros and appl. to reply to defts' brief in opposition to mot. for class action determination after defts. respond to pltfs' interros. within ten days of this date. (AEB-J)k cps mld	
5-20	37	Defts. reply brief to Pltfs. mot. to compel ans. to interrog. & appl. for ext. of time. fld. ho	
6-7	MO:	Case referred to Magistrate Robert S. Rizley, for findings & recommendations on pending motions. (AEB-J)b	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT B	DOCKET NO. 75-C-421-c
Barbara Johnson, et al	Housing Authority of City of Tulsa, et al	PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
9-23	38	Order, filed, that the Motion to Compel Answers to Interrogatories & the Application for extension of time filed by Pltf's should be & same are hereby overruled. Pltfs are given 20 days from this date to file their reply brief to defts brief in opposition to the motion fo Class Action Determination. (AEB-J)b cps mld
10-13	39	Pltfs. mot. for ext. of time to file responsive brief to Defts. brief in opposition to mot. for class action determination. fld. ho 0 to J.
10-13	40	Order, filed, granting pltfs. until 11-2-77 to file a reply brief to defts' brief in opposition to the mot. for class action determination. (AEB-J)k cps mld to movant
11-2	41.	Pltfs' appl. for 30 days to respond to defts' brief in opposition to mot. for class action determination, filed.k 0 to J
11-4	42..	Order, filed, that Pltfs' time to file reply brief is extended to 12-2-77. (AEB-J)b cps to movant
12-5 1978	43.	Pltfs' reply brief to defts' brief in oppos. to mo/class action de-termination, filed. hm
3-21	MO:	The Court having noted in the brief filed by plaintiffs Dec. 5, 1977, that Pltfs now claim a 23(b)(2) class action certification, IT IS ORDERED that the defendants respond to said brief w/in 20 days from this date. (AEB-J)b nts mld
4-10	44	Defts. appl. for ext. of time to file responsive brief to Pltfs reply brief, fld. ho 0 to J.
4-11	45	Order, filed, granting defts. until 5-1-78 to respond to pltfs' class action certification claim. This is the last extension to be granted. (AEB-J)k cps mld to movant
5-3-	MO:	Case is set for disposition before Mag. Rizley on 5-26-78, at 9:30 A.M., for failure of defts' to file brief in response to pltfs' class action claim. (RSR-Mag) b nts mld
5-4	46.	Defts' response to pltfs' reply brief to defts' brief in opposition to mot. for class action determination, filed out of time with oral leave of Court. Case stricken from disposition docket set for 5-26-78 at 9:30 a.m. (AEB-J)k deft. ntfd by phone & cps mld to deft.
9-26	47	Order, fld. that Pltfs. mot. for class action determination is denied. (AEB-J)ho c/m
10-11	MO	Parties are directed to hold a pre-trial conf. on or before 11-29-78 & file an agreed pre-trial order on or before 12-6-78. (AEB-J)k cps mld
11-30	48	Pltfs' mot. for ext. until 1-29-79 to complete discovery & file pre-trial order, filed.k
12-1	49	Deft. Housing Authority of Tulsa's response to pltfs' mot. for ext. of time to complete discovery & file pre-trial order, filed.k
12-5	50.	Order, filed, that motion for extension of time to complete discovery & file PTO be sustained & parties are granted to 1-29-79, to complete discovery & file PTO. (AEB-J)b cps mld to movant
1979		
1-31	51	Pltfs. mot. for ext. of time to file PTO, fld. ho 0 to J.
2-1	52	Order, filed, granting the parties until 3-30-79 to file a pre-trial order. This is to be the last mot. for continuance. (AEB-J)k cps mld to movant

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-421
Barbara Johnson, et al		Housing Authority of Tulsa, et al	PAGE 6 OF 3 PAGES

DATE	NR.	PROCEEDINGS
1979		
3-16	MO	Case transferred to Judge H. Dale Cook. (JCS-Clk)k
3-27	MO	CASE SET FOR PT HRG. 4-30-79 at 10:00 A.M.; disc. to be completed by 4-20-79; PT memo or order due 4-23-79. (HDC-J)k cps mld
4-30	MO:	It is Ordered by the Court that PT Hrg. is stricken from docket of this date & RESET FOR PT HRG. on 5-3 -79, at 9:00 A.M.(HDC-J)b nts by phone
4-27	53	Pltf Motion for extension of time to secure counsel & to file PTO, fld. b
5-3	MO:	Pre-trial hrg. held. Statements made. Pltf. moves for dismissal as to pltf. Betty Brand. Motion granted. Pltf. to prepare order. Parties to confer & discuss possible settlement. Court states Mr. Hogshead will remain as counsel of record for pltf. Also Mr. Sullivan to remain in case for defts. Parties to advise Court within 10 days re settlement. If not able to settle, PTO due within 20 days & stip. 10 days thereafter. (HDC-J)hm (G. Dorrough-CSR)
5-3	54.	PT memo of defts., filed in open court. hm
5-24	55	ENTRY OF APPEARANCE by Jerry Reed & Joseph R. Farris for defts Housing Author. of City of Tulsa, J. Thomas Hares, Floyd Johnson & Don Brooks. b
6-7	56	PRE-TRIAL ORDER. (HDC-J)k cps mld by pltf. <i>Stips included in PTO</i>
7-6	57	ORDER that claim of pltf. Betty Brand against defts. is dismissed w/out prejudice. (HDC-J)k cps/pltf
12-10	MO:	CASE SET for Non-Jury trial 4-14-80 at 9:30 a.m.; trial briefs, sugg. F/F & C/L to be filed by 4-4-80. (HDC-J)hm (ntc. mld.)
1980		
4-7	58	TRIAL BRIEF OF PLTFS. hm
4-9	59	TRIAL memo of deft. rm
4-11	MO:	CASE STRICKEN from N/J docket of 4-14 pending settlement. Final papers to be filed by 4-16-80. (HDC-J)hm
5-30	59A	STIPULATION for Dismissal.jc 0 to J
76-2	60	ORDER OF DISMISSAL, that pltfs' Complaint against defts. be and the same are hereby DISMISSED with prejudice. IT IS FURTHER ORDERED that pltfs not disclose the nature and terms of the settlement between parties to any third party, under penalty of contempt. (HDC-J)jc c/m

5-8 file papers by next week